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REMARKS

Reconsideration of the subject application is respectfully requested. Claims 2-6, 31, 32, 34, 35, and 37 have been cancelled without prejudice or disclaimer of subject matter.

Claims 13, 14, 16, 17, 25, 41 and 42 were rejected under 35 U.S.C. 102(e) as being anticipated by Amano et al 5,730,137 (Amano et al US). Claim 19 was rejected under 35 U.S.C. 103(a) as being unpatentable over Amano et al in view of Falcone et al 5,464,012. Claim 21 was rejected under 35 U.S.C. 103(a) as being unpatentable over Amano et al US in view of Valche et al 5,733,259 and/or Amano et al Japanese document 7-148253 (Amano et al JP) in view of Valche et al. Claims 22 to 24 were rejected under 35 U.S.C. 103(a) as being unpatentable over Amano et al US and/or JP in view of Valche et al, and further in view of Coutre et al 5,153,827. Each of these rejections is respectfully traversed, firstly because applicants disagree that the claimed invention is anticipated or obvious in view of the cited references, and secondly because Amano et al is not a proper reference under 35 U.S.C. 102(e)/103(a) because the inventorship is identical between Amano et al and the subject application. As declared by Kazuo Uebaba in the signed Affidavit that is enclosed herewith, Kazuo Kodama and Kazuo Uebaba are the same person. Accordingly, Amano et al US/JP and the present application have the same inventive entities. Thus, Amano et al US/JP cannot form the basis of rejection under 35 U.S.C. 102(e)/103(a), and it is respectfully requested that the rejections of Claims 13, 14, 16, 17, 19, 21 to 25, 41 and 42 be withdrawn.

Claim 7 was rejected under 35 U.S.C. 103(a) as being unpatentable over McNally et al 4,080,966 in view of Sherer 5,298,021. This rejection is respectfully traversed because applicants disagree that the claimed invention is anticipated or obvious in view of the cited references. Claim 7 has been written in independent form and has been further amended by deleting unnecessary components to clarify the technical feature of the device according to Claim 7. The device of the present invention comprises a communicating means for sending and receiving the information concerning the record of drug

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administration to and from external equipment. It is respectfully submitted that such feature is neither shown nor suggested by the prior art, specifically McNally et al and Sherer. Please note that Sherer discloses a controller that sends information concerning the record of drug administration to a printer, but Sherer does not disclose a controller that receives information concerning the record of drug administration from external equipment.

Claim 8 was rejected under 35 U.S.C. 103(a) as being unpatentable over McNally et al in view of Sherer. This rejection is respectfully traversed because applicants disagree that the claimed invention is anticipated or obvious in view of the cited references. Claim 8 has been written in independent form and has been further amended by deleting unnecessary components to clarify the technical feature of the device according to Claim 8. The device of the present invention comprises a measuring means for measuring a blood pulse waveform in the patient, a recording means for recording blood pulse waveforms corresponding to a physiological state in which drug administration is necessary, and a drug administration control means for comparing the blood pulse waveform measured by the measuring means and the blood pulse waveforms stored in the recording means. It is respectfully submitted that such feature is neither shown nor suggested by the prior art, specifically McNally et al and Sherer.

Claim 33 was rejected under 35 U.S.C. 102(b) as being anticipated by Cosgrove Jr. et al 4,533,346. Claims 36 and 38 were rejected under 35 U.S.C. 103(a) as being obvious over McNally et al. These rejections are respectfully traversed because applicants disagree that each of the claimed inventions is anticipated or obvious in view of the cited references. Claims 33, 36 and 38 have been written in independent form. Claims 36 and 38 have been further amended by deleting unnecessary components to clarify the technical feature of the devices according to Claims 36 and 38. The device according to each of Claims 33, 36 and 38 comprises an administering means for emitting a drug to the patient. It is respectfully submitted that such feature is neither shown nor suggested by the prior art, specifically Cosgrove Jr. et al and McNally et al. Please note that Cosgrove Jr. et al discloses a controller which infuses a drug,

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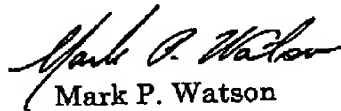
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and McNally et al discloses a controller which injects an agent, but neither of them discloses a controller which emit a drug or an agent.

Claims 15, 18 and 20 were objected to as being dependent upon a rejected base claim. These claims have been written in independent form. Please note that original Claim 20 dependent upon original Claim 13 has now become independent Claim 20, and original Claim 20 dependent upon original Claim 16 has now become new independent Claim 43.

In view of the foregoing amendments and remarks, Applicant respectfully request favorable reconsideration of the present application.

Respectfully submitted,



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